

TEMPORARY

NO. 70348-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 25 2003
Returned to applicant for correction _____
Corrected application filed _____
Map filed JAN 07 1957 under 17141

The applicant **Black Rock City, LLC**, hereby makes application for permission to change the **Place and Manner of Use of A Portion** of water heretofore appropriated under **Permit 17141, Certificate 5119**.

1. The source of water is **Underground (Flowing Well)**
- 2.
2. The amount of water to be changed **4,000,000 Gallons (12.28 AF)**
3. The water to be used for **Dust Control**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **NE¼ NW¼ Section 10, T.33N., R.25E., MDB&M**, or at a point from which the NW corner said Section 10 bears **N.71° 38' W.**, a distance of **1876 feet**.
6. The existing permitted point of diversion is located within **unchanged**
7. Proposed place of use **T.33N., R24E., MDB&M, Sections 2, 3, 4, 9, 10, 11 and T.33¼ N., R24E., MDB&M, Sections 33, 34, 35.**
8. Existing place of use **3.07 acres removed from irrigation being within the NW¼ NE¼ Section 10, T.33N., R.25E., MDB&M. - being the most Northwesterly 3.07 Ac (or 500 FT x 267 FT Rectangle) within that quarter quarter**
9. Use will be from **Aug 1 to Oct 1** of each year.
10. Use was permitted from **March 1 to November 1** of each year.
11. Description of proposed works. **Flowing Artesian well to ponds to booster pumps to load H2O trucks**
12. Estimated cost of works **1000 -**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use
15. Remarks: **For dust control at special event on the Black Rock Desert Playa.**

By **Eric Close, Agent By s/Will Rogers**
s/Eric Close **P.O. Box 27**
PO Box 65 **Gerlach NV 89412**
Gerlach, NV

Compared lb/cmf lb/cmf

Protested _____

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 17141, Certificate 5119 is issued subject to the terms and conditions imposed in said Permit 17141, Certificate 5119 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **October 1, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, or 12.28 acre-feet per year.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office;

this 26th day of August, A.D. 2003.

Hugh Ricci, P.E.
State Engineer

TEMPORARY

EXPIRED

DATE

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